

### REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-64 were pending in this application. In this Amendment, Applicant has canceled claims 16-40 and 52-57 as directed to non-elected inventions, without prejudice to or disclaimer of the subject matter thereof. Applicant has also amended claims 1, 41, 58, and 61 and added new claims 65-72. Accordingly, claims 1-15, 41-51 and 58-72 will be pending upon entry of this Amendment.

In the Office Action mailed August 11, 2006, the Examiner rejected claims 1, 11-15, 41-42, 45-47, 58 and 61 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,504,589 to Montague, et al. ("Montague"). To the extent that this rejection might still apply to the claims presently pending, Applicant respectfully traverses the rejection.

Applicant wishes to thank Examiner Sherr for the courtesies extended during the in-person interview on October 4, 2006. In that interview, Applicant demonstrated an embodiment of the present invention and highlighted features of the present invention that are distinguishable over the applied Montague reference. In particular, the Examiner agreed that at least the simultaneous display of the input area, selection window, and order window on a mobile handheld computer user interface patentably distinguishes the present invention over Montague. In addition, the Examiner agreed that Montague fails to teach or suggest the abbreviation scheme recited in several dependent claims of the present application (*e.g.*, claims 7, 13, 44, and 62).

In light of the distinguishable features discussed in the interview, and in the interest of advancing prosecution, Applicant has amended claims 1, 41, 58, and 61 to emphasize the simultaneous display of the input area, selection window, and order window. For example, Applicant has amended claim 1 to recite that the user interface is displayed on a mobile handheld computer and that the user interface displays the input area, the selection window, and the order window simultaneously. Applicant has amended claims 41, 58, and 61 similarly. Support for these amended claims can be found in the present application, for example, at paragraphs [0039] and [0115]-[0118] and in Figures 9-11.


Applicant has also added new claims that recite features related to the simultaneous display, and that further distinguish the present invention over the cited prior art. New claim 65 recites that the user interface updates the selection window and the order window in response to the handwritten input. New claim 68 recites the simultaneous display along with the listing of the item in the order window. New claim 69 recites that the selection window displays the items as the handwritten input is received in the input area. Support for new claims 65, 68, and 69 can be found in the specification at, for example, paragraphs [0042], [0043], and [0046]. In addition, Applicant has also added new claims 66, 67, 70, and 71, which recite that the input area, the selection window, and the order window are positionally fixed on the user interface, as disclosed, for example, at paragraph [0045] of the specification and in Figures 9-11. Finally, Applicant has added new claim 72, which recites an embodiment in which the handwritten input corresponds to an item, the item is a food item, and the order is for a restaurant, which is disclosed, for example, at paragraphs [0040] and [0046] of the present specification.

Consistent with the Examiner's suggestions during the interview, Applicant has also amended claims 1, 41, 58, and 61 to clarify the nature of the claimed user interfaces, *e.g.*, reciting a user interface displayed on a mobile handheld computer. Support for these amendments can be found in the specification at, for example, paragraph [0039].

In view of the foregoing, all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone Applicant's undersigned representative at the number listed below.

PAUL, HASTINGS, JANOFSKY & WALKER LLP  
875 15th Street, N.W.  
Washington, D.C. 20005  
Tel: 202-551-1700

Date: October 18, 2006

Respectfully submitted,  
By:   
Steven P. Arnheim  
Registration No. 43,475

Customer No.: 36183